

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Lincoln L. Privette, Sr.,)	Civil Action No. 4:11-cv-00943-RBH
)	
Plaintiff,)	
)	
vs.)	
)	
Florence Neurological Clinic, P.A.,)	ORDER
)	
Defendant.)	
_____)	

This action was originally filed on April 20, 2011 naming as the sole defendant Receivables Management Corporation. An Amended Complaint was filed on May 18, 2011 naming as an additional defendant Florence Neurological Clinic, P.A. On May 19, 2011, a Notice of Voluntary Dismissal was filed as to Defendant Receivables Management Corporation. However, the docket reflects no further activity on the case.

The Federal Rules of Civil Procedure require a plaintiff to file proof of service of a defendant pursuant to Rule 4(l); however, as of the date of this Order the plaintiff has not filed such. It must be noted that pursuant to Fed.R.Civ.P. 4(m), service of the summons and complaint must be effected within 120 days after the filing of the complaint. If the plaintiff fails to comply within such time limitation, the court may on its own initiative dismiss the action after notice to the plaintiff. See Fed.R.Civ.P. 4(m); Local Rule 4.01.

Therefore, this court hereby provides notice to the plaintiff that it will dismiss this action without prejudice ten days from the date of this Order if proof of service has not been filed within that time.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Court Judge

November 28, 2012
Florence, South Carolina